

IN THE HIGH COURT OF JUDICATURE AT PATNA
CWJC No.12513 of 1992

1. Raghunath Singh, son of late Ram Narain Singh
 2. Ram Swarath Singh, son of late Janakdhari Singh.(dead)
 - 2(a) Shashank Shekhar
 - b. Kameshwar Singh
 - c. Nageshwar Singh
 - d. Madan Singh
 - e. Raja Singh (dead)
 - 2(e)(a) Dilip Kr. Singh
 3. Sheoshanker Singh, son of late Hargen Singh.
 4. Gauri Shanker Singh, son of late Hargen Singh.
 5. Hari Narayan Singh, son of late Jamuna Singh
 6. Narsingh Narain Singh, son of late Amrit Singh.
 7. Vidya Sagar Singh, son of late Baso Singh
 8. Ram Dayal Singh, son of late Brahmdeo Singh.
 9. Bindeshwar Singh, son of late Ambika Singh (dead)
 - 9a. Ram Babu Singh
 - (b) Ram Pravesh Singh
 10. Chandrika Singh, son of late Lal Bihari Singh(dead)
 - 10(a) Prem Shanker Singh
 - (b). Ranjay Kr.Singh
 11. Surajdeo Singh, son of late Lal Bihari Singh(dead)
 - 11a. Harishanker Singh
 - (b) Bijay Shanker Singh
 - (c) Uday Shanker Singh
 12. Gajendra Singh, son of late Gopaljee Singh.
 13. Awadhesh Singh, son of late Narayan Singh
 14. Prabhunath Singh, son of Shiv Dayal Singh.(dead)
 - 14a. Anjani Kr.
 15. Vishwanath Singh, son of Rajendra Singh
 16. Yugal Kishore Singh, son of late Shashi Shekhar Singh, all residents of Jagdishpur Kothia, P.S. Belsand, District-Sitamarhi
- Petitioners.

Versus

1. The State of Bihar.
2. The Collector, Sitamarhi.
3. The Sub-Divisional Officer, Sheohar, District-Sitamarhi.
4. The Circle Officer, Tariyani, District- Sitamarhi.
5. The Circle Officer, Belsand, District-Sitamarhi.
6. Bhutkun Paswan, son of Govind Paswan

7. Rupan Paswan, son of Govind Paswan.
8. Janak Paswan, son of Faudi Paswan.(dead)
- 8(a) Sukhdeo Paswan
- (b) Rakesh Paswan
- (c) Rupesh Paswan
- (d) Badudeo Paswan
- (e) Jinis Paswan
9. Sukdeo Paswan, son of Janak Paswan
10. Basudeo Paswan, son of Janak Paswan
11. Gagan Paswan, son of Prayag Paswan.
12. Matar Paswan, son of Mardul Paswan.
13. Jinis Paswan, son of Bhadai Paswan(dead)
- 13(a) Akhilendra Paswan
14. Shyam Lal Paswan, son of Laldhari Paswan.
15. Bilas Paswan, son of Sitaram Paswan.
16. Sevak Paswan, son of Bhajan Paswan
17. Dasrath Paswan, son of Ritan Paswan.
18. Budhu Paswan, son of Dasrath Paswan
19. Chhotka Paswan, son of Dasrath Paswan
20. Sathu Paswan, son of Ritan Paswan.
21. Keshwar Paswan, son of Ram Ekbal Paswan.
22. Asarfi Paswan, son of Bhadai Paswan.
23. Lalan Paswan, son of Ram Nath Paswan.
24. Lakshman Paswan, son of Ram Nath Paswan.
25. Fakira Paswan, son of Marendra Paswan.
26. Ravindra Paswan, son of Brajnandan Paswan.(dead)
- 26a. Sanjay Paswan
- (b) Ratan Paswan
- (c) Rupesh Paswan
27. Shambhu Paswan, son of Dasai Paswan.
28. Nandu Paswan, son of Dasai Paswan.(dead)
- 28a. Bhutto Paswan.
29. Gopal Paswan, son of Poshan Paswan.(died issueless)
30. Faguni Paswan, son of Posan Paswan.
31. Ram Chandra Paswan, son of Harinandan Paswan
32. Kantu Paswan, son of Dasai Paswan
33. Ram Ashray Paswan, son of Khairu Paswan.
34. Nathuni Paswan, son of Ram Prit Paswan
35. Jittu Paswan, son of Ram Prit Paswan
36. Sonfi Paswan, son of Saryug Paswan, (dead)
- 36a. Siyaram Paswan
- b. Lakhindra Paswan
- (c) Ranjit Paswan

(d) Inner Paswan
 (e) Laloo Paswan
 (f) Sajiv Paswan,
 all residents of Village-Jagdishpur, P.O. Jagdishpur,
 P.S. Belsand, District-Sitamarhi. ----- Respondents.

14. 26.10.2010

None appears on behalf of the petitioners. Mr. Anant Kumar Bhaskar for the respondents, and Mr. Rana Ishwar Chandra, learned Assistant Counsel to Government Pleader No.13, are present. It appears from the marginal note that this writ petition stood dismissed against respondent nos. 8 (a), (b), (c), (d), (e), 13 (a), 26(a), (b), (c), 28 (a), 36 (a), (b), (c), (d), (e) and (f). The impugned order has attained finality in so far these respondents are concerned. Allowing it to continue with respect to remaining respondents may result in inconsistent order and judgment. It further appears that substitution of the heirs of the deceased petitioner nos. 2, 9, 10, 11 and 14 stands rejected on account of non-payment of cost to Mr. Anant Bhaskar, learned counsel for the respondents. We are informed at the Bar that some of the petitioners are dead, and steps for substitution have not been taken.

We are, therefore, of the view that the writ petition as a whole has become incompetent and can not proceed further. Consequently, the writ petition is dismissed.

(S. K. Katriar,J.)

(Birendra Prasad Verma, J.)

Vinay/

